

## **REMARKS**

The Office Action dated February 21, 2008, has been carefully considered. In response thereto, and in accordance with the Examiner's instructions and pursuant to 35 U.S.C. § 121, the Rule 1.47(a) Applicant, through the undersigned counsel, hereby elects Group I, Claims 1-11 for prosecution. The election is made *with* traverse.

The Rule 1.47(a) Applicant wishes to point out that the inventions described by the claims of the Groups cited by the Examiner are believed to all be related to the same inventive concept disclosed in the specification. In particular, with regard to the claims of the Group I and Group IV, claims 22-24 of Group IV elaborate on the mechanical structure of an apparatus that could also be covered by claims 1-11. Thus, the Rule 1.47(a) Applicant respectfully submits that the Examiner has not established an adequate basis for the present restriction requirement with regard to at least Groups I and IV.

Moreover, MPEP §803 provides as follows:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

The Rule 1.47(a) Applicant respectfully submits that any burden in the search and examination of the claims of both Groups I and IV, as opposed to just one elected group, would be *de minimis*. In particular, that burden is to be compared with the financial burden on the Applicants involved in filing and prosecuting several new divisional applications.

For those reasons, the Rule 1.47(a) Applicant respectfully submits that the present restriction requirement is improper and requests that the Examiner reconsider and withdraw the restriction.

The present traversal should not be construed as an admission that the inventions are not patentably distinct. In the event that the restriction requirement is maintained, the Applicants reserve the full protection of 35 U.S.C. §121 against double-patenting rejections.